



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region8

CONSENT FOR ACCESS TO PROPERTY

RIGHT OF ENTRY TO PREMISES:

The Property Owner (the Grantor) consents to and authorizes the United States Environmental Protection Agency (EPA) and its authorized representatives and their contractors collectively the Grantee, to enter and perform certain environmental sampling activities upon the following premises:

Owner's Name: Mining Remedial Recovery Company

Property Covered By this Agreement: (property description, parcel ID or mine claim):

Evening Star 17034 and Morning Star 17034

PURPOSE OF RESPONSE ACTIVITIES:

The EPA is requesting access to collect water quality, sediment, and aquatic insect samples and flow measurements from the Animas River and tributaries at your property. The sampling activities may include any of the following:

- Access the sample locations by foot to collected water samples, sediment samples and flow measurements.
- Conduct sampling events during the high flow period (spring runoff) and in the low flow period (fall/winter) to collect samples and flow measurements.
- Placement of an automated sampling device called a "mini-sipper", at a select few locations, to collect continuous water samples and store them in the device for a period of weeks or months. Retrieval of the "mini-sipper" device and collected samples once the sampling period is completed.
- Collect aquatic insects by placing a net in the river to capture insects floating downstream.
- Portions of the main stem of the Animas River may have fish collection events in cooperation with Colorado Parks & Wildlife (CWP).

ENVIRONMENTAL RESPONSE ACTIVITIES:

By signing this Access Agreement, the Property Owner is granting EPA, its employees and their contractors, and representatives including the United States Geological Survey (USGS), United States Fish & Wildlife Service (USFWS), Bureau of Land Management (BLM), the Colorado Department of Public Health and Environment (CDHPE) and the Colorado Division of Reclamation, Mining & Safety (CDRMS) (collectively, the Agencies) the right to enter the property, at all reasonable times and with at least 30 days' prior notice, for the sole purpose of conducting the sampling described above. This consent for access shall remain in effect for a period of [2] years from the date of signature of this agreement.

AGREEMENT NOT TO INTERFERE

The Property Owner agrees to not interfere or tamper with any of the water quality and sediment sampling activities, or the equipment used to perform the sampling activities.

The Agencies agree that, in the event a representative of the Property Owner is not in attendance for the sampling activity, the relevant Agency or Agencies will provide to the Property Owner within 120 days of the sampling event results from the sampling event, including the sampling coordinates, the QA/QC data, the field notes from the sampling activity, and other relevant sampling information that the Property Owner may request.

This written permission is given voluntarily with knowledge of the right to refuse and without compulsion or promises of any kind. The Property Owner understands that if there is any damage by the work conducted by any of the Agencies or their authorized representatives, contractors, or sub-contractors then authorized representatives, contractors or sub-contractors shall repair such damage to the extent practicable.

☐ I grant access to my property(s)

Signature **Date**

Mailing Address: _____

Email Address: _____

Daytime Phone No. _____

After signing, please return to:

Paula Schmitt diel, Remedial Project Manager
U.S. Environmental Protection Agency
1595 Wynkoop St.
Denver, Colorado 80202-1129
Mail Code: 8EPR-SR
Office Phone: 303-312-6861
Cell Phone: 720-951-0795
Email: schmitt diel.paula@epa.gov

or

Liz Fagen, Remedial Project Manager
U.S. Environmental Protection Agency
1595 Wynkoop St.
Denver, Colorado 80202-1129
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